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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,328	09/26/2003	Todd M. Witter	42P8015C	8420

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EXAMINER

TSAI, SHENG JEN

ART UNIT

PAPER NUMBER

2186

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

10/672,328

Applicant(s)

WITTER ET AL.

Examiner

Sheng-Jen Tsai

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09/26/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14 are presented for examination in this application (10,672,328) filed on September 26, 2003.

Acknowledgement is made to the Information Disclosure Statement received on September 26, 2003.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Meinerth et al. (US 6,199,149).

As to claim 1, Meinerth et al. disclose **an apparatus** [overlay Counter for Accelerated Graphic Port (title)], **comprising:**
a request unit [overlay request to system memory ... (abstract); overlay engine (figure 1, 121) of the graphic device (figure 1, 100) issues the overlay request; figure 2; overlay stream controller (figure 3); overlay request issue indicator (figure 3, 302)] **to request more than one fragment of isochronous data** [request fragmentor (figure 3, 310) for overlay data stream (column 1, lines 53-57)] **from a memory device** [the system memory, figure 1, 114]; **and**

a timer [overlay timer register (figure 3, 300); overlay timer (figure 4, 403)] **to insert a delay time between fragment requests** [column 2, lines 53-57; column 3, lines 20-43].

As to claim 9, Meinerth et al. disclose **a system** [figure 1], **comprising:**
a memory device [the system memory, figure 1, 114]; **and**
a system logic device coupled to the memory device [figures 1-4], **the system logic device including an overlay data unit** [overlay request to system memory ... (abstract); overlay engine (figure 1, 121) of the graphic device (figure 1, 100) issues the overlay request; figure 2; overlay stream controller (figure 3); overlay request issue indicator (figure 3, 302)], **the overlay data unit including**
a request unit [overlay request to system memory ... (abstract); overlay engine (figure 1, 121) of the graphic device (figure 1, 100) issues the overlay request; figure 2; overlay stream controller (figure 3); overlay request issue indicator (figure 3, 302)] **to request more than one fragment of overlay data** [request fragmentor (figure 3, 310) for overlay data stream (column 1, lines 53-57)] **from the memory device** [the system memory, figure 1, 114], **and**
a timer [overlay timer register (figure 3, 300); overlay timer (figure 4, 403)] **to insert a delay time between fragment requests** [column 2, lines 53-57; column 3, lines 20-43].

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Pfeiffer et al. (US 5,146,592).

As to claim 1, Pfeiffer et al. disclose **an apparatus** [High Speed Image Processing Computer with Overlapping Windows-Div (title); figure 3], **comprising:**
a request unit [screen refresh request, DRAM refresh request and IAP Address request (figure 7) all may generate requests to access image memory (figure 7, 82); figure 13] **to request more than one fragment of isochronous data** [image memory end (figure 9, 260), image memory width (figure 9, 262), horizontal offset (figure 9, 264) collectively define the fragments of the image data] **from a memory device** [the image memory, figure 3, 84]; **and**
a timer to insert a delay time between fragment requests [the SCRRFREQ signal initiates a delay after which a request delay is generated (column 28, lines 31-35); the request arbiter and image memory timing controller is provided with a programmable delay circuit ... (column 35, lines 65-68; column 36, lines 1-59; column 37, lines 3-28); figure 14].

As to claims 2-5, Pfeiffer et al. teach that **the overlay data is organized into a first, a second and a third plane of overlay data** [the image memory includes different planes associated with red, green and blue pixel data (abstract); figures 36, 38-40; column 64, lines 25-63].

As to claim 6, Pfeiffer et al. teach that **the timer inserts a delay after requests for fragments from the first and second planes** [the SCRRFREQ signal initiates a

delay after which a request delay is generated (column 28, lines 31-35); the request arbiter and image memory timing controller is provided with a programmable delay circuit ... (column 35, lines 65-68; column 36, lines 1-59; column 37, lines 3-28); figure 14].

As to claim 7, Pfeiffer et al. teach that a **method, comprising:**
organizing overlay data stored in a memory device into more than one plane [the image memory includes different planes associated with red, green and blue pixel data (abstract); figures 36, 38-40; column 64, lines 25-63];
issuing multiple requests for overlay data fragments from the memory device where consecutive requests for overlay data fragments are requests for data from different planes [screen refresh request, DRAM refresh request and IAP Address request (figure 7) all may generate requests to access image memory (figure 7, 82); figure 13; image memory end (figure 9, 260), image memory width (figure 9, 262), horizontal offset (figure 9, 264) collectively define the fragments of the image data]; **and**
inserting a delay between requests for overlay data fragments [the SCRRFREQ signal initiates a delay after which a request delay is generated (column 28, lines 31-35); the request arbiter and image memory timing controller is provided with a programmable delay circuit ... (column 35, lines 65-68; column 36, lines 1-59; column 37, lines 3-28); figure 14].

As to claim 8, refer to "As to claim 1" through "As to claim 7."

As to claim 9, refer to "As to claim 1" through "As to claim 7."

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As to claim 10, refer to "As to claims 2-5."

As to claim 11, Pfeiffer et al. teach that **the fragments are form different planes** [the read, green and blue pixels data planes].

As to claim 12, refer to "As to claims 2-5."

As to claim 13, refer to "As to claims 2-5."

As to claim 14, refer to "As to claims 7-8."

6. Related Prior Art

The following list of prior art is considered to be pertinent to applicant's invention, but not relied upon for claim analysis conducted above.

- Ichikawa et al., (US 5,440,680), "Image Display Controller Having a Common Memory for Storage of Image Overlay Data and Window Identification Data."

Conclusion

7. Claims 1-14 are rejected as explained above.

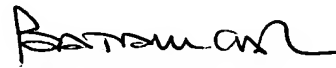
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheng-Jen Tsai whose telephone number is 571-272-4244. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on 571-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sheng-Jen Tsai
Examiner
Art Unit 2186

September 15, 2005


PIERRE BATAILLE
EXAMINER
9/20/05